

macy for their own ends, particularly the PLO and its factions. He stated that the Council should note that the presence of armed terrorists in Lebanon was the root cause of the problem and should condemn it rather than condemn those who defended themselves from acts of terrorism.

The representative of Senegal read out a statement in his capacity as the coordinator of the non-aligned countries members of the Council. The statement asserted that the group was firmly convinced that violation of the territorial integrity, national sovereignty and independence of a State posed grave threats to international peace and security. The group, he added, condemned the Israeli aggression against Lebanon and believed it should not be tolerated and should arouse an appropriate reaction from the Council. The statement called upon the Council to adopt the draft resolution submitted by the non-aligned group.

The representatives of France, Italy and Brazil condemned the Israeli attack on Lebanon and called for the implementation of Council resolutions in order to preserve the sovereignty and territorial integrity of Lebanon.

At the same meeting, the non-aligned draft resolution was put to the vote. Under the preambular part of the draft resolution, the Council would, *inter alia*, have reaffirmed past resolutions on the situation in Lebanon; noted with grave concern the continuing deterioration of the situation in southern Lebanon and the repeated Israeli attacks and practices against the civilian population; been deeply concerned with the recent attack against Lebanese territory by Israel. Under the operative part, the Council would have (a) strongly deplored the recent Israeli attack; (b) strongly requested that Israel cease immediately all attacks; (c) reaffirmed its call for strict respect for the sovereignty of Lebanon, its independence, unity and territorial integrity

within its internationally recognized boundaries; (d) reaffirmed the urgent need to implement the provisions of the Council resolutions on Lebanon, in particular 425 (1978) and 426 (1978), and 509 (1982), which demanded that Israel withdraw to the internationally recognized borders; (e) requested the Secretary-General to continue consultations with the parties concerned on the implementation of Council resolutions on Lebanon and to report to the Council; and (f) decided to keep the situation in Lebanon under review.

At the same meeting, the Council voted on the draft resolution by 14 to 1. The draft resolution was not adopted owing to the negative vote of a permanent member of the Security Council.<sup>129</sup>

Following the vote, the representative of the United States of America said that her country remained committed to supporting Lebanon's sovereignty, independence and territorial integrity, and had repeatedly called for the withdrawal of all foreign forces from Lebanon, consistent with Council resolution 425 (1978). She pointed out that her delegation had opposed the draft resolution because it had criticized the actions of one party while ignoring the attacks and reprisals that had originated on the other side of the border. She further stated that in requesting that Israel cease all attacks against Lebanese territory regardless of provocation, the draft resolution would deny to Israel its inherent right to defend itself.

<sup>129</sup>See S/PV.2832; for further details, see chap. IV of the present Supplement.

### 3. THE SITUATION BETWEEN IRAN AND IRAQ

By a letter dated 24 February 1985,<sup>1</sup> the representative of Iraq requested a meeting of the Security Council to discuss the report of the mission dispatched by the Secretary-General on prisoners of war in Iran and Iraq in January 1985,<sup>2</sup> at the request of Iraq<sup>3</sup> and following consultations with the Governments of both countries.

At its 2569th meeting, on 4 March 1985, the Council included the letter from Iraq in its agenda without objection, and considered the matter in the course of that meeting.

At the same meeting, the Council decided to invite the representatives of Iraq, Jordan, Saudi Arabia and Yemen,

at their request, to participate in the discussion without the right to vote.<sup>4</sup> The Council also decided to extend an invitation to Mr. Chedli Klibi, Secretary-General of the League of Arab States (LAS), under rule 39 of the provisional rules of procedure.<sup>5</sup>

The Deputy Prime Minister and Minister for Foreign Affairs of Iraq contended that the Iranian authorities were murdering or subjecting to other forms of persecution and torture Iraqi prisoners of war whom the Islamic Republic of Iran believed to be affiliated with political institutions in Iraq. He further accused the Islamic Republic of Iran of employing religious and sectarian methods by dividing prisoners of war according to their religious beliefs, and of launching an intensive psychological campaign to turn them into agents of the Islamic Republic of Iran. His Government's objective in calling for the Council meeting was to find a mechanism to implement the recommendations made in the report on prisoners of war. In this regard, he believed that the Security Council should force the Islamic Republic of Iran to allow the International Committee of the Red Cross (ICRC) to resume its work in the Islamic Republic of Iran, seek the exchange of prisoners who were disabled and sick, followed by those who had been in cap-

<sup>1</sup>S/16980.

<sup>2</sup>S/16962. Since the period covered by the previous volume of the Supplement, the Secretary-General also submitted the following: report of the Secretary-General in pursuance of Security Council resolution 552 (1984), in connection with the letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates to the President of the Security Council (S/16877 and Add.1); note by the Secretary-General on the report of the United Nations Team in Tehran concerning an inspection carried out on 7 and 8 January 1985 (S/16897); and note by the Secretary-General on the report of the United Nations Team in Baghdad concerning an inspection carried out on 28 January 1985 (S/16920).

<sup>3</sup>S/16799.

<sup>4</sup>For details, see chap. III of the present Supplement.

<sup>5</sup>S/PV.2569, p. 3.

tivity longest, and, in the absence of terminating the war, seek the exchange of all remaining prisoners.<sup>6</sup>

The Secretary-General of LAS stated that priority should be given to guaranteeing the rights and dignity of the prisoners of war as a first step towards their prompt release. He suggested that the Security Council adopt a resolution that would speed measures likely to improve the condition of prisoners in accordance with international law and conventions, in particular the Third Geneva Convention, and with the recommendations of the mission's report. He also emphasized that the Council should work to bring about a peaceful settlement, guaranteeing the interests of both parties.<sup>7</sup>

The Deputy Prime Minister and Minister for Foreign Affairs of Yemen endorsed the conclusions of the fact-finding mission and stressed the need, mentioned in the mission's report, for a final settlement of the Iran-Iraq conflict. He asserted that the Council, in accordance with its responsibilities under the Charter, should adopt measures to oblige the Islamic Republic of Iran to seek a peaceful solution to its conflict with Iraq; however, the efforts of the Council and the Secretary-General should not replace those of the Organization of the Islamic Conference (OIC) and members of the Movement of Non-Aligned Countries.<sup>8</sup>

The representative of Saudi Arabia expressed the hope that the mission's report, while shedding light on a painful aspect of the tragic situation between the Islamic Republic of Iran and Iraq, would draw attention to other aspects of the dispute. He called upon the Council to take a clear stand in order to secure the implementation of the mission's recommendations and to preserve the credibility and effectiveness of the respect for international norms and their recognized executive organs, so that the success of that step would open the way to further steps leading to ending the war.<sup>9</sup>

The representative of Jordan, *inter alia*, called upon the Council to adopt the mission's recommendations, to persuade the two parties to commit themselves to their implementation and to create a practical mechanism for their implementation, including a definite timetable for the exchange of all prisoners. He also called upon both parties to cooperate fully with the ICRC in the achievement of that end and to work towards the adoption of a resolution to that effect. He stated that the Security Council, in considering for the first time an issue pertaining to prisoners of war, had a moral and ethical duty vis-à-vis that important issue. Through the adopting of an effective resolution, the Council would render an immense service not only to the prisoners of war but also to the interests of international law and mankind as a whole.<sup>10</sup>

The representative of Egypt indicated that the report of the mission had opened the door to a serious discussion of the issue. It was a record replete with individual and collective disasters. He also pointed out that Egypt fully supported Iraq's call for the Security Council to deal with the situation of the prisoners of war and requested the Council to take all the necessary measures to implement the recom-

mendations of the Secretary-General without any delay and put an end to that conflict.<sup>11</sup>

At the end of the 2569th meeting, the President announced that the next meeting of the Council to continue consideration of the item would be scheduled following consultations with the members of the Council.

#### Decision of 5 March 1985: statement by the President

On 5 March 1985, following consultations with the members of the Council, the President issued the following statement:<sup>12</sup>

As President of the Security Council, I feel it my duty to express alarm over reports that the Governments of the Islamic Republic of Iran and of Iraq are attacking or preparing to attack civilian areas. I appeal to both Governments to exercise restraint and to continue to honour their undertakings to the Secretary-General, made last June, not to attack civilian targets which, until now, have saved thousands of innocent lives.

#### Decision of 15 March 1985: statement by the President

On 15 March 1985, following consultations with the members of the Council, the President issued the following statement on behalf of the Council:<sup>13</sup>

The members of the Security Council express their deep concern over the scale of the renewed hostilities in the conflict between Iran and Iraq, which have led to an alarming aggravation of the situation between the two countries, to the detriment of peace and security in the region.

They believe that combatants and civilians will continue to suffer as long as the conflict, which has already imposed great sacrifices on the two countries in terms of human life and material resources, lasts. They emphasize anew the urgent necessity for a cessation of hostilities commencing with the implementation of the moratorium on attacks against purely civilian population centres with a view to finding a peaceful settlement to the conflict in conformity with the Charter of the United Nations and international law and acceptable to both parties.

The members of the Security Council have decided to remain actively seized of the question and to pursue consultations with the two parties and with the Secretary-General with a view to finding an end to this tragic conflict, which has already lasted far too long.

#### Decision of 25 April 1985 (2576th meeting): statement by the President

At its 2576th meeting, on 25 April 1985, the Council included the report of the Secretary-General on his visit to the Islamic Republic of Iran and Iraq dated 12 April 1985<sup>14</sup> and a letter dated 17 April 1985 from the Secretary-General addressed to the President of the Security Council<sup>15</sup> in its agenda.

In his report, the Secretary-General expressed his dismay that the moratorium on attacks on purely civilian areas had not been observed and that chemical weapons had been used. Moreover, he noted that representatives of the Islamic Republic of Iran had expressed to him their belief that the actions of the Security Council had not been impartial and just. He also declared that his overriding constitutional responsibility under the Charter was to seek to end the conflict and, until that goal was achieved, he was legally obliged under recognized international humanitarian rules to mitigate its effects, in areas such as attacks on civilian population centres, use of chemical weapons, treatment of prisoners of war and safety of navigation and civil

<sup>6</sup>Ibid., pp. 5-11.

<sup>7</sup>Ibid., pp. 12-17.

<sup>8</sup>Ibid., pp. 18-22.

<sup>9</sup>Ibid., pp. 26 and 27.

<sup>10</sup>Ibid., pp. 33-35.

<sup>11</sup>Ibid., pp. 36-38.

<sup>12</sup>S/17004.

<sup>13</sup>S/17036.

<sup>14</sup>S/17097.

<sup>15</sup>S/17127 and Add. I.

aviation. The Secretary-General also reported the following positions of the two countries. On the one hand, the Islamic Republic of Iran maintained that specific conventions and protocols could not be conditional upon a ceasefire and that it sought a comprehensive cessation of hostilities provided two conditions were met, namely, condemnation of the aggressor and payment of reparations. On the other, Iraq believed that specific proposals to mitigate the effects of the war must be clearly linked to a comprehensive ceasefire within a timetable, which should include the mutual withdrawal of troops, a comprehensive exchange of prisoners of war and reactivation of all ports. Furthermore, it was noted that, although the position of the two parties remained wide apart, both sides believed that the Secretary-General's proposals could serve as a basis for further discussion.<sup>15</sup>

In his letter of 17 April 1985, the Secretary-General submitted to the Council the report of Dr. Manuel Dominguez dated 8 April on chemical weapons. The conclusions of the report were as follows: (a) chemical weapons were used during March 1985 in the war between Iran and Iraq; (b) yperite was used, affecting Iranian soldiers; (c) the attacks were made by means of bombs dropped from aircraft; and (d) it was possible that hydrocyanic gas was used, alone or in combination with yperite.<sup>15</sup>

At the same meeting, the President made the following statement on behalf of the Council.<sup>16</sup>

The members of the Security Council, seized with the continuing conflict between Iran and Iraq, are appalled that chemical weapons have been used against Iranian soldiers during the month of March 1985 in the war between the two countries, as concluded in the report of the medical specialist appointed by the Secretary-General (S/17127 and Add.1).

They recall the statement of 30 March 1984 by the President of the Security Council on behalf of the members (S/16454). They strongly condemn renewed use of chemical weapons in the conflict and any possible future use of such weapons. They again urge the strict observance of the Geneva Protocol of 1925, according to which the use in war of chemical weapons is prohibited and has been justly condemned by the world community.

The members of the Council condemn all violations of international humanitarian law and urge both parties to observe the generally recognized principles and rules of international humanitarian law which are applicable to armed conflicts and their obligations under international conventions designed to prevent or alleviate the human suffering of warfare. At the same time, they urge a cessation of hostilities and remain convinced that a prompt, comprehensive, just and honourable settlement acceptable to both sides is essential and in the interest of international peace and security.

The members of the Council express their full appreciation and support to the Secretary-General for his report contained in document S/17097. They are ready to issue at the appropriate moment an invitation to both parties to take part in a renewed examination of all aspects of the conflict. They call on the parties to cooperate with the Secretary-General in their efforts to restore peace to the peoples of Iran and Iraq.

**Decision of 24 February 1986 (2666th meeting): resolution 582 (1986)**

By a letter dated 12 February 1986,<sup>17</sup> the representative of Iraq transmitted the text of a letter of the same date from the Ministers for Foreign Affairs of Iraq, Jordan, Kuwait, Saudi Arabia, Tunisia and Yemen, the Minister for National Education of Morocco and the Secretary-General of LAS, in which they requested an urgent meeting of the

Security Council to discuss the grave situation arising from Iranian aggression and to take practical and speedy measures to put an end to the war and to solve the conflict by peaceful means.

At its 2663rd meeting, on 18 February 1986, the Council included the letter in its agenda. The Council decided to invite, under rule 37, the following at their request to participate without the right to vote in the discussion of the question: at its 2663rd meeting, the representatives of Bahrain, Iraq, Jordan, Kuwait, Oman, Saudi Arabia, Tunisia and Yemen; at the 2665th meeting, the representatives of Egypt, the Libyan Arab Jamahiriya, and Morocco.<sup>18</sup> At the 2663rd meeting, the Council also decided to invite Mr. Chedli Klibi, Secretary-General of LAS, under rule 39 of its provisional rules of procedure. At its 2664th meeting, the Council also decided to extend an invitation to the representative of the Palestine Liberation Organization (PLO), in accordance with the Council's past practice, to participate in the deliberations without the right to vote.<sup>19</sup> The Council considered the issue at its 2663rd to 2666th meetings, from 18 to 24 February 1986.

At the 2663rd meeting, the President drew the attention of its members to fifteen letters from four Member States.<sup>20</sup>

In his statement, Mr. Chedli Klibi, Secretary-General of LAS, stressed that Iraq had many times expressed its total responsiveness to all past and present mediating efforts and peace initiatives, including acceptance of all Security Council decisions, but that the Islamic Republic of Iran had constantly rejected all mediating efforts and all calls for peace, no matter where they had originated. He further indicated that the Arab States expected the Security Council to implement urgently the provisions of the Charter of the United Nations, in particular Articles 36 and 37 of Chapter VI, and Chapter VII.<sup>21</sup>

The Foreign Minister of Iraq stated that the Islamic Republic of Iran had begun a new attempt to invade Iraq during the evening of 9 and 10 February 1986 and continued to do so. He also regretted that the years 1983, 1984 and 1985 had witnessed a new tendency in the Secretariat and the Security Council, which gave greater attention to secondary matters arising from the conflict and reduced the emphasis on the comprehensive settlement the Council had previously stressed. Moreover, he noted that this approach would lead to a prolongation of the war on land and would minimize international concern over the dispute and hence reduce pressure for a comprehensive settlement. In particular, the Foreign Minister of Iraq strongly warned against focusing on the secondary questions arising out of the conflict, while no concentrated effort was exerted towards a comprehensive settlement, because this approach would only serve the Iranian plan of deception to continue the war. Furthermore, he stated that the Iranian regime refused

<sup>18</sup>For details, see chap. III of the present *Supplement*.

<sup>19</sup>For the discussion and the vote (10 in favour and 1 against, with 4 abstentions). For further details, see chap. III of the present *Supplement*.

<sup>20</sup>Letters S/17814, S/17819, S/17824, S/17826, S/17828, S/17830, S/17831 and S/17834 from Iraq dated from 10 to 16 February 1986; S/17822, S/17829, S/17833, S/17835 and S/17836 from the Islamic Republic of Iran dated from 12 to 17 February; and S/17825 and S/17827 dated 13 February from Afghanistan and Zambia.

<sup>21</sup>See S/PV.2663, pp. 6-17.

<sup>16</sup>S/PV.2576, pp. 2 and 3.

<sup>17</sup>S/17821.

to participate in the deliberations of the Council on the conflict and imposed on the Council conditions unprecedented in the history of the United Nations. He also declared that Iraq had had enough of policies of selective and divisible treatment and of ambiguous formulas and would not accept any course different from focusing all efforts upon the central point of the settlement, namely, putting an end to the war in accordance with the norms that have been established internationally.<sup>22</sup>

The representative of Yemen emphasized that his country had tried to assist the situation through mediation between the two belligerent parties as well as by supporting other mediating efforts, but his Government was unable to detect any positive response from the Islamic Republic of Iran to any of its initiatives or to the initiatives of others. He also observed that the war was widening and required the Council more than ever to shoulder its duty and responsibilities by calling upon the two belligerent parties to declare an immediate ceasefire and to withdraw their forces to their respective international borders.<sup>23</sup>

At its 2664th meeting, the Council heard statements from the representatives of Jordan, Saudi Arabia, Kuwait, Tunisia and Oman. The representatives appeared to be in agreement regarding the conflict, expressing their concern at the lack of dynamism and responsiveness of the Council decisively to address the fundamental issue, namely, a cessation of all hostilities. Furthermore, they accused Iran of intransigence and obstinacy for its continued aggression against Iraq and at the same time they were in agreement that Iraq was sincerely seeking a settlement and an end to the conflict. Finally, all the representatives agreed that it was time for the Security Council to perform effectively its role of maintaining international peace by implementing practically a comprehensive ceasefire and the withdrawal of military forces to internationally recognized borders. They also encouraged a continuation of the Secretary-General's good offices effort.<sup>24</sup>

At the 2665th meeting, the President drew the attention of the Council to a letter dated 19 February 1986 from the Foreign Minister of the Islamic Republic of Iran addressed to the Secretary-General.<sup>25</sup> The letter indicated that when Iraq had initiated its all-out war on the Islamic Republic of Iran on 22 September 1980 by invading the Islamic Republic of Iran, the Security Council, after some days, had passed a resolution, which not only failed to condemn the aggression, but even rewarded Iraq by calling on the Islamic Republic of Iran to accept a ceasefire with Iraq in Iranian territory. He pointed out that after 22 months of silence and only when the Iranian forces, at great sacrifice, had liberated Iranian territories and defeated Iraqi forces, was a second resolution adopted by the Council, which again served as a shield to protect the aggressor. The Foreign Minister of the Islamic Republic of Iran contended that it was for these reasons that Iran could not have any confidence in the "good faith" of the Council and it therefore had no choice but to rely on its defensive military effort. He also maintained that the recent Iranian military operations had taken place for the following reasons: (a) to prevent Iraq from utilizing the military potential of its har-

bour of Al-Faw and its vicinity in attacking Iranian oil wells and facilities, as well as oil tankers and commercial vessels belonging to other countries in the Persian Gulf; (b) to limit Iraq's capabilities of using these areas to attack the cities and residential areas of the Islamic Republic of Iran; and (c) to warn and take practical measures against aggression. The Foreign Minister also stressed that experience had proven that the present regime in Iraq would not heed any commitment after enhancing its military strength; consequently, the Islamic Republic of Iran would again be confronted by Iraq. Nevertheless, he indicated that the Islamic Republic of Iran welcomed all proposals and measures concerning the prevention of interference by other countries in the conflict and appreciated the valuable effort of the Secretary-General, and that the Security Council should reaffirm his mandate so as to enable him to pursue his constructive efforts.

At the same meeting, the representatives of Morocco, Bahrain, Egypt and the PLO emphasized the following points: (a) that a large-scale offensive by the Islamic Republic of Iran against Iraq, which violated the territorial integrity and sovereignty of Iraq, was under way; (b) that the Council had proved ineffective in addressing the threat that the conflict between the Islamic Republic of Iran and Iraq posed for international security; (c) that it was time for the Council to take and implement practical decisions that would immediately lead to the following: (i) a comprehensive ceasefire; (ii) the withdrawal of forces to international boundaries; and (iii) negotiations on other outstanding issues.<sup>26</sup>

Also at the same meeting, the representative of the Libyan Arab Jamahiriya made a statement in which he criticized the Council and the United States of America, and suggested that before the Council demanded anything from Iran it should implement other resolutions on Palestine, South Africa and United States hegemony.<sup>27</sup>

The representative of the United States made a statement in exercise of the right of reply.<sup>28</sup>

At the 2666th meeting, the President drew the attention of the Council to a draft resolution that had been drawn up during consultations,<sup>29</sup> and a number of documents relating to the item on the agenda.<sup>30</sup>

The representative of the United Arab Emirates stated that the draft resolution before the Council did not reflect all the elements his delegation had sought, but that he considered the draft resolution to be a step in the right direction.<sup>31</sup>

At the same meeting, the representative of Thailand indicated that the war was entering a new phase, with serious security implications for the Gulf States and further allegations by both parties to the conflict of the use of chemical weapons. Any use of such inhumane weapons could not be justified under international law as it directly contravened the 1925 Geneva Protocol and should be condemned in the same way that the war itself should be condemned. The Council was obliged once again to consider ways and

<sup>22</sup>S/PV.2665, pp. 7-36.

<sup>23</sup>Ibid., pp. 36-40.

<sup>24</sup>Ibid., p. 41.

<sup>25</sup>S/17859.

<sup>30</sup>Letters S/17853 and S/17855 dated 20 February 1986 from the Islamic Republic of Iran, Mongolia and India; S/17857, S/17858 and S/17861 dated 21 February from Yugoslavia, the Islamic Republic of Iran and Iraq.

<sup>31</sup>S/PV.2666, pp. 8-13.

<sup>22</sup>Ibid., pp. 17-38.

<sup>23</sup>Ibid., pp. 38-46.

<sup>24</sup>S/PV.2664, pp. 6-46.

<sup>25</sup>S/17849.

means of bringing about a cessation of hostilities. To really achieve that, the cooperation of both parties to the conflict was indeed essential.<sup>32</sup>

The representative of the United Kingdom of Great Britain and Northern Ireland stated that effective action by the Council must have as its clear objective the agreement of both sides to a series of related steps: first, an immediate ceasefire; second, withdrawal of all forces to the boundaries recognized before the outbreak of hostilities; and, third, the opening of negotiations, directly or under United Nations auspices, leading to a permanent end to all hostilities and to a just, honourable and comprehensive settlement to all aspects of the conflict, including as appropriate the question of boundaries. He also maintained that the United Nations must play a major role, namely, the monitoring by United Nations personnel of the ceasefire and withdrawal, authorized by the Security Council, and mediation efforts by the Secretary-General to resolve all aspects of the conflict with the Council in the background, standing ready to give support and to exercise good offices as required.<sup>33</sup>

The representative of the Union of Soviet Socialist Republics pointed out that the conflict between the Islamic Republic of Iran and Iraq was seriously destabilizing the region and constituted a serious threat to international peace and security, and must be settled through peaceful political means alone, bearing in mind the legitimate interests of the States and peoples involved in the conflict. He also stressed that the Soviet Union supported the Secretary-General's mediation effort and would vote in favour of the draft resolution.<sup>34</sup>

The representative of the United States maintained that the Islamic Republic of Iran was the primary reason for the struggle, because it had rebuffed the many efforts of the international community to bring the war to a close, and called upon Iran to put an end to its latest offensive. He also expressed his concern over the use of chemical weapons.<sup>35</sup>

The representative of China noted that the recent escalation in the war between Iran and Iraq had generated a dangerous situation in the Gulf region, and that the Security Council was in duty bound to seek a peaceful settlement of the disputes between the two countries.<sup>36</sup>

At the same meeting, the Council then commenced its voting procedure on the draft resolution. However, before the vote, several members of the Council made statements: (a) the representatives of Denmark and Australia pointed out that, though the resolution did not fully reflect either the point of view of the Islamic Republic of Iran or Iraq, it was a serious attempt to address the important issues required to build a comprehensive settlement; (b) the representative of Madagascar emphasized that the consultations on the draft resolution had taken into account all viewpoints and stressed a philosophy of fostering the mediation efforts of the United Nations. However, he noted that his delegation would have preferred that the first three operative paragraphs more effectively address the questions of machinery to implement the resolution and of the obligation of the Council to place the present conflict in its historical and political context; (c) the representative of Aus-

tralia stated that the escalating conflict had resulted in a number of violations of international law. His Government had been particularly concerned at the use of chemical weapons in the conflict. This continuing conflict also had serious implications for regional and international security. The draft resolution before the Council was a serious attempt to focus on the relevant issues and it did lay an objective foundation on which to build a settlement; (d) finally, the representative of France affirmed his hope that the resolution would give the Secretary-General new impetus in his mediation efforts.<sup>37</sup>

The Council then proceeded to a vote on the draft resolution, which was adopted unanimously as resolution 582 (1986).<sup>38</sup> It reads as follows:

*The Security Council.*

Having considered the question entitled "The situation between Iran and Iraq",

*Recalling* that the Security Council has been seized of the question of the situation between Iran and Iraq for almost six years and that decisions have been taken thereon,

*Deeply concerned* about the prolongation of the conflict between the two countries resulting in heavy losses of human lives and considerable material damage and endangering peace and security,

*Recalling* the provisions of the Charter and in particular the obligation of all Member States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

*Noting* that both the Islamic Republic of Iran and Iraq are parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare signed at Geneva on 17 June 1925,

*Emphasizing* the principle of the inadmissibility of the acquisition of territory by force,

*Taking note* of the efforts of mediation pursued by the Secretary-General,

1. *Deplores* the initial acts which gave rise to the conflict between the Islamic Republic of Iran and Iraq and deplores the continuation of the conflict;

2. *Also deplores* the escalation of the conflict, especially territorial incursions, the bombing of purely civilian population centres, attacks on neutral shipping or civilian aircraft, the violation of international humanitarian law and other laws of armed conflict and, in particular, the use of chemical weapons contrary to obligations under the 1925 Geneva Protocol;

3. *Calls upon* the Islamic Republic of Iran and Iraq to observe an immediate ceasefire, a cessation of all hostilities on land, at sea and in the air and withdrawal of all forces to the internationally recognized boundaries without delay;

4. *Urges* that a comprehensive exchange of prisoners of war be completed within a short period after the cessation of hostilities in cooperation with the International Committee of the Red Cross;

5. *Calls upon* both parties to submit immediately all aspects of the conflict to mediation or to any other means of peaceful settlement of disputes;

6. *Requests* the Secretary-General to continue his ongoing efforts to assist the two parties to give effect to this resolution and to keep the Council informed;

7. *Calls upon* all other States to exercise the utmost restraint and to refrain from any act which may lead to a further escalation and widening of the conflict and, thus, to facilitate the implementation of the present resolution;

8. *Decides* to remain seized of the matter.

<sup>32</sup>Ibid., pp. 13-18.

<sup>33</sup>Ibid., pp. 18-22.

<sup>34</sup>Ibid., pp. 22-26.

<sup>35</sup>Ibid., pp. 26-28.

<sup>36</sup>Ibid., pp. 28-30.

<sup>37</sup>Ibid., pp. 31-38.

<sup>38</sup>For the vote, see *ibid.*, pp. 39 and 40; see also chap. IV of the present *Supplement*.

In a letter from the Islamic Republic of Iran addressed to the Secretary-General regarding Security Council resolution 582 (1986),<sup>39</sup> the Iranian Foreign Minister stated that the Security Council has finally come to realize the fact that in order to tackle the whole matter of the war, in accordance with the provisions of the Charter of the United Nations, the Security Council should consider the initial aggression of Iraq. He also emphasized that the position of the resolution addressing the issue of the whole war and termination of hostilities was unbalanced; nevertheless, it was a positive step towards the condemnation of Iraq and a just conclusion to the war. Moreover, he insisted that the Islamic Republic of Iran would support fully the Secretary-General in his mediation efforts.

On 5 March 1986, the Government of Iraq, in a letter to the Secretary-General regarding Security Council resolution 582 (1986),<sup>40</sup> declared, *inter alia*, that the resolution contained essential elements that illustrated the basic principles for the peaceful settlement of armed conflicts and that if the Government of the Islamic Republic of Iran undertook to accept the resolution formally and made an effort to implement it unconditionally and in good faith, Iraq was ready to cooperate with the Security Council and with the Secretary-General in order to implement it in good faith, on the basis of certain conditions, primarily that the resolution represent a comprehensive and indivisible approach to settling the conflict. Therefore, the resolution must constitute a globally and comprehensively applicable and practical framework within which the elements of the settlement were interconnected, at all stages, according to an established timetable, the implementation of each stage being a guarantee that the next stage would also be implemented.

**Decision of 21 March 1986 (2667th meeting): statement by the President**

In pursuance of resolution 582 (1986), the Secretary-General, on 12 and 14 March 1986, submitted a report and an addendum<sup>41</sup> concerning the situation between the Islamic Republic of Iran and Iraq: report of the mission dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq. The mission indicated that, after having conducted the examination of various sites, weapons components and numerous casualties in their investigations undertaken in 1984, 1985 and 1986 according to the guidelines given by the Secretary-General, together with circumstantial evidence, they unanimously concluded that: (a) on many occasions, Iraqi forces had used chemical weapons against Iranian forces; and (b) the agent used had mainly been mustard gas, although on some occasions nerve gas also had been employed.<sup>41</sup>

At its 2667th meeting, on 21 March 1986, the Council included the report of the Secretary-General in its agenda, without objection, and considered the matter at the same meeting.<sup>42</sup>

At the same meeting, the President drew the attention of the Council to two letters dated 17 and 18 March 1986 from the representatives of Iraq and the Islamic Republic of Iran, respectively, addressed to the Secretary-General.<sup>43</sup>

In his letter, the representative of Iraq emphasized that the following facts should be kept in mind when addressing the issues dealt with in the report of the mission: (a) that Iran's position with regard to resolution 582 (1986) was to interpret certain provisions selectively, while ignoring other aspects; (b) that the Islamic Republic of Iran was involved in a large-scale invasion of Iraqi territory; and (c) that Iraq would not accept any effort that was not clearly directed towards the termination of the war and would not participate in any other kind of effort or assume responsibility for it.

In his letter, the representative of the Islamic Republic of Iran declared that the report was well balanced and fair. He also indicated that there had been clear and unambiguous evidence of Iraqi use of chemical weapons against the forces of Iran.

Following consultations with the Council members, the President made the following statement<sup>44</sup> on behalf of the Council:

The members of the Security Council, seized with the continuing conflict between the Islamic Republic of Iran and Iraq, have considered the report of the mission of specialists dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict between Iran and Iraq (S/17911 and Add.1).

Profoundly concerned by the unanimous conclusion of the specialists that chemical weapons on many occasions have been used by Iraqi forces against Iranian forces, most recently in the course of the present Iranian offensive into Iraqi territory, the members of the Council strongly condemn this continued use of chemical weapons in clear violation of the Geneva Protocol of 1925, which prohibits the use in war of chemical weapons.

They recall the statements by the President of the Council of 30 March 1984 (S/16454) and 25 April 1985 (S/17130), and demand again that the provisions of the Geneva Protocol be strictly observed.

At the same time, the members of the Council condemn the prolongation of the conflict, which continues to take a heavy toll of human lives and to cause considerable material damage, as well as to endanger peace and security in the region.

They express concern over the risk of an extension of the conflict to other States in the region and call upon the two sides to respect the territorial integrity of all States, including those that are not parties to the hostilities.

The members of the Council reaffirm resolution 582 (1986) of the Security Council and note that the Government of Iraq has expressed its willingness to heed the call for the immediate cessation of hostilities. They stress the urgent need for full compliance by both parties with this resolution, which would open the way for a prompt, comprehensive, just and honourable settlement of the conflict.

The members of the Council note that both parties have declared themselves ready to cooperate with the Secretary-General in his ongoing efforts to restore peace to the peoples of Iran and Iraq, and express their support for these efforts.

**Decision of 8 October (2713th meeting): resolution 588 (1986)**

By a letter dated 30 September 1986,<sup>45</sup> the representatives of Iraq, Jordan, Kuwait, Morocco, Saudi Arabia, Tunisia and Yemen requested an urgent meeting of the Security Council to consider the grave situation between Iran and Iraq and to adopt measures to ensure the implementation of resolution 582 (1986).

At its 2709th meeting, on 3 October 1986, the Council included the letter in its agenda without objection. Following the adoption of the agenda, the Council decided to invite the

<sup>39</sup>S/17864.

<sup>40</sup>S/17897.

<sup>41</sup>S/17911 and Corr.1 and Add.1.

<sup>42</sup>S/PV.2667, pp. 2 and 3.

<sup>43</sup>S/17922 and S/17925.

<sup>44</sup>S/17932.

<sup>45</sup>S/18372.

following, at their request, to participate without the right to vote in the discussion of the question: at the 2709th meeting, the representatives of Egypt, Iraq, Jordan, Kuwait, Morocco, Oman, Rwanda, Saudi Arabia, Senegal, Tunisia and Zambia; at the 2710th meeting, the representatives of Argentina, Bangladesh, the German Democratic Republic and Yugoslavia; at the 2711th meeting, the representatives of Afghanistan, Chad, Cuba and Mexico; at the 2712th meeting, the representatives of Guyana, Mauritania, Nicaragua, Peru and Yemen; and at the 2713th meeting, the representative of Uruguay.<sup>46</sup>

At its 2709th meeting, the Council also decided, by a vote, and in accordance with the Council's previous practice, to extend an invitation to the representative of the PLO to participate in the debate on the item.<sup>47</sup> At the same meeting, the Council further decided to extend an invitation to Mr. Chedli Klibi, Secretary-General of LAS, under rule 39 of the provisional rules of procedure.<sup>48</sup> The Council was also informed of a letter dated 2 October from the representative of the Islamic Republic of Iran<sup>49</sup> transmitting the text of a letter of the same date from the Minister for Foreign Affairs stating, *inter alia*, that the Council should do its utmost to strengthen the Secretary-General's humanitarian initiatives and that Iran was ready to continue its cooperation with him in that regard. The Islamic Republic of Iran was also prepared to explore means to prevent the widening of the conflict and to guarantee regional security and noted in this connection that the Islamic Republic of Iran had proposed a regional security arrangement. The Council considered the item at its 2709th to 2713th meetings, from 3 to 8 October 1986.

At the 2709th meeting, the Secretary-General drew the attention of the Council to the extent and depth of international alarm over the continuation of the bloody conflict between the Islamic Republic of Iran and Iraq. He indicated that, with the support of the Council, he had spared no effort to bring the conflict to an end. Some of his initiatives had dealt with humanitarian aspects under international instruments designed to mitigate some of the worst features of warfare. All such moves were aimed at one goal, the early cessation of hostilities and an advance towards negotiations. The eight-point plan that he proposed to the two parties a year before envisaged a step-by-step approach towards that end. But, unfortunately, up to that date, those efforts did not achieve substantive progress towards the ending of the war.<sup>50</sup>

The Secretary-General of LAS, Mr. Klibi, stated that the renewed threats by the Islamic Republic of Iran to launch another wide-scale attack on Iraq was a very serious threat to the security of the region and international peace and security. The Islamic Republic's defiance was also clear from its refusal to abide by Security Council resolution 582 (1986), in particular, paragraph 3. He believed also that at that series of meetings the Council should have gone beyond the stage of speeches and high-sounding words to an effective action and the implementation of Article 2, paragraph 3, of the Charter. He also pointed out that it was high

time for the Security Council to implement the provisions of Chapter VI of the Charter, in particular Articles 33, paragraph 2, 34, 36, paragraph 1, and 37, paragraph 2. He urged the two belligerent parties to put an end to the hostilities and to lay the groundwork for a just settlement under United Nations supervision.<sup>51</sup>

The Deputy Prime Minister and Minister for Foreign Affairs of Iraq pointed out that the purpose of the Iranian's continued occupation of Iraq soil, in particular the region adjacent to the Persian Gulf, was the creation of a new military, political and economic situation in the region that would make it possible for the Islamic Republic of Iran to pursue its expansionist aims. He noted that while Iraq had declared, in good faith, its readiness to cooperate with the Council in implementing resolution 583 (1986), the Islamic Republic of Iran had refused to apply it and claimed that it amounted to an endorsement by the Security Council of the military option. He informed the Council that the Islamic Republic of Iran had declared openly that it was preparing for yet another invasion and that the military option was the only means of solving a dispute with a fellow Member of the United Nations. He called upon the Council to assume the responsibilities of implementing the resolutions for peace that it had adopted in accordance with the Charter of the United Nations.<sup>52</sup>

The Deputy Prime Minister and Minister for Foreign Affairs of Egypt stated that a few months had elapsed since the adoption of resolution 582 (1986), but the situation between the Islamic Republic of Iran and Iraq remained explosive and new threats were constantly being made that a large-scale military attack was to be launched against Iraq. He noted that the consequences of the conflict between the two countries had spilled over into the entire region. He associated himself with all those who had already asked the Security Council to adopt all possible measures likely to result in the implementation of resolutions previously adopted by the Council on the ending of the armed conflict between the Islamic Republic of Iran and Iraq, and above all resolution 582 (1986).<sup>53</sup>

At the 2710th meeting, on 3 October 1986, the representative of Senegal hoped that the Council, as the upholder of world peace and security, would be able to take responsible measures to promote peace, cooperation and understanding in the region. He pointed out that the threat, *inter alia*, to freedom of navigation in the Persian Gulf and to air traffic showed that if the Council was not careful all the countries of the region would face difficulties that could lead to not only economic but also political instability, as well as the internationalization of the conflict. He added that difficulties were so great that they had made United Nations efforts of little account. He said that the use of force for six years had not succeeded in achieving a solution to the conflict and that no strategy based on force could bring peace to the troubled region. The two parties should understand that there was no alternative to dialogue and negotiation for the promotion of a just and lasting peace in the Gulf region.<sup>54</sup>

The representative of Zambia indicated that the Movement of Non-Aligned Countries and the United Nations

<sup>46</sup>For details, see chap. III of the present *Supplement*.

<sup>47</sup>For the discussion and the vote (10 in favour and 1 against, with 4 abstentions), see S/PV.2709; for further details, see also chap. III of the present *Supplement*.

<sup>48</sup>S/PV.2709, p. 6.

<sup>49</sup>S/18376.

<sup>50</sup>S/PV.2709, pp. 7 and 8.

<sup>51</sup>*Ibid.*, pp. 9-16.

<sup>52</sup>*Ibid.*, pp. 16-25.

<sup>53</sup>*Ibid.*, pp. 26-29.

<sup>54</sup>S/PV.2710, pp. 6-12.

had repeatedly invited the two warring parties to cease fighting and to commence negotiations leading to the establishment of peace and stability in the Gulf. He noted with regret that although Iraq had accepted and was willing to implement resolution 582 (1986), the Islamic Republic of Iran remained inflexible, and he called upon it to show moderation in the interest of peace and security.<sup>55</sup>

The representative of Oman stated that the war between the Islamic Republic of Iran and Iraq had entered its seventh year and was exhausting their resources and energies. He also said that recently there had been a serious escalation of the war, at a time when the Gulf ministers were making praiseworthy efforts, following upon their recent sixth summit held in Muscat, in November 1985, on the basis of resolutions adopted at summits, councils, conferences and meetings of LAS, OIC and the Movement of Non-Aligned Countries, as well as by other international bodies with a view to safeguarding the interests of both parties in keeping with acknowledged principles of international law and the principles of the Charter of the United Nations and in conformity with the responsibilities of the Security Council, the General Assembly and the Secretary-General. He commended the positive attitude adopted by Iraq with regard to the peace initiative undertaken and hoped that the Islamic Republic of Iran would take a similar stand on the international, Islamic and Arab initiatives to put an end to the war. He maintained that his statement expressed and reflected the deep concern of the Group of Arab States over the continuation of the war and had its support in finding a way that would bring a peaceful end to it.<sup>56</sup>

The Chief of the Political Department of the PLO indicated that the Council was undoubtedly aware that the Palestinian people were among those most affected by the war and its grave consequences. He added that continuation of the war hampered international efforts of good will aimed at finding a just solution to the crisis in the Middle East, exacerbated tension in the region and encouraged Israel to perpetuate its expansionist policy of aggression. He then said that the obstinate insistence on continuing the war was no longer acceptable and must not be condoned.<sup>57</sup>

The representative of Argentina pointed out that the armed conflict between the Islamic Republic of Iran and Iraq should cease without any further delay and the indefinite prolongation of the war was incompatible with the system of international coexistence enshrined in the Charter of the United Nations. He believed that, through the Security Council, the international community must shoulder its responsibility and affirm its common interest in ensuring the prompt restoration of peace between the Islamic Republic of Iran and Iraq.<sup>58</sup>

The representative of Jordan indicated that the Security Council was meeting on the initiative of the Arab Committee of Seven, established by ministerial meetings of LAS in 1982 and given the mandate of following the developments in the Iran-Iraq war. He noted that there was international unanimity to the effect that the continuance of the war was not justified from the humanitarian, political or even moral viewpoint. Referring to the danger to peace and security in the region, he pointed out that the international

community had seen signs of the possibility of the expansion of the war to neighbouring States, which would be a threat to vital international interests, in particular freedom of navigation in international waters. He called upon the Security Council to take a decisive and effective stand in order to translate into reality the international community's intentions in laying the foundations for a just and honourable settlement.<sup>59</sup>

At the same meeting, the representative of Rwanda stated that the Charter conferred a difficult duty upon the Security Council to watch over international peace and security and hence it must remain vigilant at all times. He added that the Charter granted the Council broad powers and privileges, but without the active collaboration of the States involved, its task becomes rather difficult. The solution of conflicts also became difficult when the parties involved eschewed mediation and the advice of friends, hoping perhaps that conflicts could be settled by force of arms. He emphasized that he had to speak in order to call for peace since he believed in the principles of good-neighbourliness, the peaceful settlement of disputes and the non-use of force in international relations.<sup>60</sup>

At the 2711th meeting, on 6 October 1986, the representative of Thailand said that the continuation of the conflict between the Islamic Republic of Iran and Iraq had had serious repercussions and had heightened the tension throughout the Gulf area. It had also threatened to spill over into the strategically important neighbouring countries and, thus, its impact on international peace and stability could not be overestimated.<sup>61</sup>

The representative of Saudi Arabia indicated that Iraq had agreed to end the war and to resort to arbitration in accordance with international rules and hoped that the Islamic Republic of Iran would give a positive response and rise above the level of the conflict, in order to save the blood of Muslims. He then called upon the Council to adopt the draft resolution submitted to it without delay.<sup>62</sup>

The representative of Bangladesh pointed out that the continuous fratricidal war between the Islamic Republic of Iran and Iraq had brought ruin upon the edifices of two of the world's most ancient and glorious cultures. He said that the various sets of terms proposed had failed to receive the wholehearted support of both parties and hence they had to rise above their self-interest for the greater and nobler cause of peace.<sup>63</sup>

The representative of Kuwait stated that since the outbreak of the conflict, the Council had adopted six resolutions and agreed upon a number of statements by its President, which were based on the Charter and on the principles of international law. They all called for stopping the armed conflict and for recourse to negotiations aimed at a just and honourable solution of the conflict. He pointed out that whenever States Members again had recourse to the Council to discuss the same subject-matter, it meant that its resolutions had not been implemented, it had not been respected and international legitimacy had been discredited. He expected the Council truly and sincerely to fulfil the responsibilities incumbent upon it under the pro-

<sup>55</sup>*ibid.*, pp. 13-15.

<sup>56</sup>*ibid.*, pp. 16-27.

<sup>57</sup>*ibid.*, pp. 27-35.

<sup>58</sup>*ibid.*, pp. 36-38.

<sup>59</sup>*ibid.*, pp. 38-46.

<sup>60</sup>*ibid.*, pp. 46-51.

<sup>61</sup>S/PV.2711, pp. 3-6.

<sup>62</sup>*ibid.*, pp. 7-12.

<sup>63</sup>*ibid.*, pp. 12-15.



visions of various Articles of the Charter aimed at settling disputes by peaceful means and refraining from the use or threat of use of force in international relations.<sup>64</sup>

The representative of the German Democratic Republic deplored the continuing war between the Islamic Republic of Iran and Iraq, which had led to untold human suffering and devastation on both sides, as well as greatly endangering stability and security in the entire Gulf region. He reaffirmed his Government's position that conflicts and disputes between States must be settled by peaceful means, with full respect for the peoples' right to self-determination.<sup>65</sup>

The representative of Cuba indicated that the conflict that was claiming the attention of the Security Council had broken out six years ago and Cuba, as Chairman of the Movement of Non-Aligned Countries in 1980, decided in May of that year to offer to mediate in order to avoid the conflict between the two countries. He added that, at the summit conference at Harare in 1986, the overwhelming majority of the Heads of State and Government present pleaded for a cessation of the war and for a peaceful and honourable solution. He further noted that, in the General Assembly, the same heartfelt appeals had also been heard.<sup>66</sup>

The representative of Mexico indicated that all regional conflicts and threats of the use of force, as well as all forms of intervention, jeopardized the security of all Member States and that there was no other way to construe the essential purpose of the United Nations, as summed up in Article 1, paragraph 1, of the Charter, which is to maintain international peace and security, and to that end, to take effective collective measures, in conformity with international law. He joined the appeal made by a majority of Member States that the Islamic Republic of Iran and Iraq should immediately implement Security Council resolution 582 (1986) and that the Secretary-General should intensify his efforts to persuade both parties to put an end to this long and distressing conflict.<sup>67</sup>

The representative of Bulgaria pointed out that the long and bloody war between the Islamic Republic of Iran and Iraq had brought only suffering and incalculable losses to the peoples of those two countries and had seriously endangered international peace and security. He joined in the urgent appeals made by all previous speakers that an immediate end be put to this senseless conflict and that it be resolved by peaceful means as required by the Charter and that the role of the Security Council in this regard was extremely important.<sup>68</sup>

The representative of Chad stated that the disturbing dimensions that the conflict was then assuming presented the inexorable risk of its spreading throughout the Gulf region, implying a grave threat to international peace and security. Geo-strategic interests had already turned the area into a veritable powder-keg. He pointed out that the elements of a comprehensive solution had been clearly set out in resolution 514 (1982) and since then they had been regularly repeated. By adopting resolution 582 (1986), the Council had laid the foundations for a just and lasting solution to the Iran-Iraq conflict and that at those meetings it should

adopt appropriate measures conducive to ensuring the unconditional implementation of that resolution.<sup>69</sup>

At the 2712th meeting, on 7 October 1986, the President drew attention to two letters from the representatives of the Islamic Republic of Iran<sup>70</sup> and Iraq.<sup>71</sup>

The Minister for Foreign Affairs of the Islamic Republic of Iran indicated in the above-mentioned letter that the position of his Government had already been submitted in a letter dated 19 February 1986.<sup>72</sup> He pointed out that among the important positions emphasized in that letter was the need for the prevention of intervention by other countries and any other measures that might cause the war to spread and that that position was also reflected in resolution 582 (1986) and in his statement of 21 February 1986.<sup>73</sup>

The representative of Yugoslavia stated that for more than six years the Islamic Republic of Iran and Iraq had been engaged in a cruel war and its consequences for peace and security in the region of the Gulf and beyond were a matter of legitimate concern to all members of the international community. He added that the issues in the relations between the two countries could not be resolved on the battlefield but only through a process of negotiation on the basis of the principles of the Charter of the United Nations.<sup>74</sup>

The representative of Guyana indicated that the impassioned calls for an end to hostilities between the Islamic Republic of Iran and Iraq reverberated in the halls during the summit of the Movement of Non-Aligned Countries at Harare. He said that the conflict engendered insecurity in the region and continued the potential for even wider international involvement, with serious negative consequences as well as the disruption of commercial navigation in the Persian Gulf. He called for the abandonment of policies and doctrines inconsistent with the Charter and the decisions on the issue by the Security Council. He then appealed to both parties to cooperate to the maximum with the Secretary-General in his efforts to achieve a just and lasting peace between the two countries.<sup>75</sup>

The representative of the Union of Soviet Socialist Republics pointed out that the common thread running through all the statements was a sense of deep concern over the continuing armed conflict between the Islamic Republic of Iran and Iraq and a realization that leaving it unresolved any longer could lead to the most serious consequences for international peace and security. He supported the mediating mission of the Secretary-General and other constructive international efforts designed to find a solution to the conflict based on the fundamental requirements of the Charter.<sup>76</sup>

The representative of Australia urged the Islamic Republic of Iran to participate in the Council's consideration of the tragic conflict and expressed his concern about the increase in scope and intensity of the war, including attacks on civilian population centres, merchant shipping and civil aircraft. He pointed out that resolution 582 (1986) was regarded as the best available basis for a settlement of the

<sup>64</sup>*Ibid.*, pp. 16-22.

<sup>65</sup>*Ibid.*, pp. 23-27.

<sup>66</sup>*Ibid.*, pp. 27-31.

<sup>67</sup>*Ibid.*, pp. 31-33.

<sup>68</sup>*Ibid.*, pp. 38-40.

<sup>69</sup>*Ibid.*, pp. 41 and 42.

<sup>70</sup>S/18381.

<sup>71</sup>S/18382.

<sup>72</sup>S/17849.

<sup>73</sup>S/17864 and Corr.1.

<sup>74</sup>S/PV.2712, pp. 3-6.

<sup>75</sup>*Ibid.*, pp. 7 and 8.

<sup>76</sup>*Ibid.*, pp. 8-13.

conflict and regretted that the specific appeals made in that resolution had been ignored. He added that the meeting of the Security Council provided Members States with an opportunity to repeat their call for an end to the conflict.<sup>77</sup>

The representative of China stated that since the adoption of resolution 582 (1986), the war between the Islamic Republic of Iran and Iraq had not stopped; instead, it had expanded in scale and even showed the dangerous prospect of an all-round escalation. He called upon the two Governments to heed the appeal of, and to cooperate with, the international community, the Security Council, in particular, to observe an immediate ceasefire and jointly to seek the way to peaceful settlement.<sup>78</sup>

The representative of Denmark indicated that, unfortunately, the necessary steps taken by the Council had failed to bring about a cessation of hostilities or to engage the parties in mediation efforts aimed at a peaceful settlement. He reaffirmed resolution 582 (1986) as the most relevant basis for a settlement and called on both parties to implement that resolution fully and without delay. He added that the attacks on civilian areas, in violation of the Fourth Geneva Convention, had led to intolerable suffering on the part of the civilian population and that both parties should respect all relevant international legal instruments, including the four Geneva Conventions and the 1925 Geneva Protocol banning the use of chemical weapons.<sup>79</sup>

The representative of Madagascar stated that the current series of meetings of the Security Council was taking place owing to the risk of escalation or deterioration of the situation between Iran and Iraq and the non-implementation of resolution 582 (1986). He added that it was therefore incumbent upon the Council to take all necessary measures to halt that deterioration and to bring the two parties to accept its decisions and resolutions in order to seek a just solution in keeping with international law.<sup>80</sup>

The representative of Tunisia said that the senselessness of the armed confrontation between the Islamic Republic of Iran and Iraq had been largely proved and consequently it was surely time to resort to peaceful means to resolve what it had not been possible to resolve with instruments of death. The ground had in fact been prepared by many peace initiatives taken by the United Nations, OIC and the Movement of Non-Aligned Countries, as well as the courageous steps undertaken by the Secretary-General. But, unfortunately, those initiatives come up against a wall of silence, indifference and even disdain. He added that it was for the Security Council to determine the necessary steps, taking into account the developments of the situation. He recalled that Iraq had welcomed the peace efforts as well as the decisions taken by the Council and it had even proposed the establishment of an independent tribunal to determine the responsibilities in this conflict. He hoped that the Islamic Republic of Iran would go along with the wishes of the international community.<sup>81</sup>

At the 2713th meeting, on 8 October 1986, the President drew attention to the text of a letter dated 7 October 1985 from the representative of Iraq addressed to the Secretary-General<sup>82</sup> informing him that Iranian forces had continued

to attack civilian areas on 6 and 7 October, causing fires, injuring civilians and destroying dwellings.

At the same meeting, the representative of Venezuela stated that since 1980 the Security Council had met 12 times to consider the conflict between Iran and Iraq and had adopted nine presidential statements and five resolutions. But, unfortunately, those decisions, the resolutions of the General Assembly, the persevering efforts of the Secretary-General and many peace initiatives taken by non-governmental organizations had so far been fruitless. He pointed out that, in his view, resolution 582 (1986) constituted a balanced decision to the principles that should be applied to the case and to the measures that should be taken by both sides to put an end to the war and that the resolution was fully valid and the Security Council should therefore once again urge the parties immediately and fully to implement, without delay, each and every one of its provisions.<sup>83</sup>

The representative of Mauritania called for setting in motion the process of peace by both parties observing an immediate ceasefire and submitting all aspects of the conflict to mediation and he supported the efforts made by the Secretary-General and the members of OIC. He also placed on record his delegation's satisfaction with Iraq's favourable response to the peace activities undertaken so far.<sup>84</sup>

The representative of Yemen stated that since the outbreak of the war between the Islamic Republic of Iran and Iraq in September 1980, the Council had time and again been seized of the appalling military conflict, most recently on 24 February, when resolution 582 (1986) had been adopted. He pointed out that the resolution remained a dead letter and unimplemented, because the Islamic Republic of Iran persisted in continuing the war and refused even to listen to all the calls for peace, whereas Iraq was ready to observe an immediate ceasefire and to help the Secretary-General to achieve his goal. The continuance of the situation constituted a serious challenge to the Security Council, the United Nations and the rest of the world and it was not sufficient for the Council to adopt a resolution that remained unimplemented, as had the previous resolutions. It must insist on implementation and imposition, using the powers entrusted to it.<sup>85</sup>

The representative of Morocco said that, unfortunately, all initiatives had been unsuccessful because of the Islamic Republic of Iran's intransigence and its persistent rejection of Security Council resolutions and various offers of mediation, the most recent of which was that made in April 1985 by the late Olaf Palme. He added that the Islamic Republic of Iran had not even taken part in the work of the Security Council in order to present its own grievances. He also said that it was imperative, and a matter of urgency, that the Council exercise all its powers under the Charter to impose respect not only for its own decisions but for the fundamental principles of the Charter—the right of all States to exercise their full independence and sovereignty within the framework of their territorial integrity—and to use the arsenal of measures that would allow a peaceful solution, in keeping with Article 33 of the Charter, guaranteeing the rights of each of the parties.<sup>86</sup>

<sup>77</sup>Ibid., pp. 13-17.

<sup>78</sup>Ibid., pp. 17-20.

<sup>79</sup>Ibid., pp. 20-23.

<sup>80</sup>Ibid., pp. 23-27.

<sup>81</sup>Ibid., pp. 27-36.

<sup>82</sup>S/18384.

<sup>83</sup>S/PV.2713, pp. 3-8.

<sup>84</sup>Ibid., pp. 8-11.

<sup>85</sup>Ibid., pp. 11-17.

<sup>86</sup>Ibid., pp. 17-23.

The representative of Nicaragua emphasized the need for strict respect for internationally recognized humanitarian norms in the armed conflict between the Islamic Republic of Iran and Iraq which had already cost hundreds of thousands of human lives and astronomical material and economic losses. He added that the United Nations, the Security Council, the Movement of Non-Aligned Countries, OIC—in a word, the entire international community—must persevere in making creative efforts to find appropriate mechanisms and basis for a just and honourable agreement for the settlement of the conflict, which had gone on for too long.<sup>87</sup>

The representative of Peru said that, rather than dwelling on the characteristics of the war, his delegation wished to contribute to the appeal for peace and lend its firm support to any initiative that may bring peace closer.<sup>88</sup>

The representative of Uruguay indicated that the war between the Islamic Republic of Iran and Iraq was putting to the test the effectiveness and credibility of the United Nations system, especially for medium-sized and small States, and that the Security Council must do everything in its power, within the framework of the Charter, to obtain the immediate cessation of hostilities and the initiation of negotiations that could lay the foundation for a firm and definitive settlement acceptable to both parties. He also urged the Governments of the Islamic Republic of Iran and Iraq to implement Security Council resolution 582 (1986).<sup>89</sup>

The President, in his capacity as representative of the United Arab Emirates, stated that the Security Council met again in a fresh attempt to find a peaceful formula to resolve the dilemma between the Islamic Republic of Iran and Iraq. He welcomed the response by Iraq to the Council's resolutions, as well as the efforts made by others, which were all directed to the peaceful settlement of the conflict, and called upon the Islamic Republic of Iran to find an appropriate way of responding to those peaceful initiatives so that that destructive war could be brought to an end.<sup>90</sup>

The President drew attention to the text of a draft resolution,<sup>91</sup> which had been prepared in the course of the Council's consultations. The President, hearing no objections, proceeded to bring the draft resolution to the vote. Before putting it to the vote, however, he opened the floor to those members of the Council who wished to make statements.

The representative of France indicated that the Security Council had already made proposals in its resolution 540 (1983) for a comprehensive, just and honourable settlement that would be acceptable to both parties, and more recently in resolution 582 (1986) the Council had laid down the basis for a negotiated settlement. He added that the draft resolution before the Council called upon the two parties to implement a resolution unanimously adopted by the members of the body charged by the United Nations with the primary responsibility for the maintenance of international peace and security. The Council also requested

the Secretary-General to continue and intensify his efforts to achieve peace.<sup>92</sup>

The representative of the United Kingdom of Great Britain and Northern Ireland opposed the use of chemical weapons in the conflict and pointed out that the Security Council had strongly condemned it, most recently in its statement on 21 March 1986.<sup>93</sup> He was also gravely concerned at the growing number of attacks by both sides on civilian targets and on vessels flying the flag of States that were not involved in the current hostilities. He then appealed for the implementation without further delay of resolution 582 (1986).<sup>94</sup>

The representative of the United States of America was concerned that in the absence of negotiations the war had not only intensified but had expanded, which increased the risk to the security of the entire region, and that it continued to be a threat to neutral third-party shipping. He commended the Secretary-General's initiatives as well as those of various other parties, and called on the Islamic Republic of Iran and Iraq to work closely with the Secretary-General to find the best way to end the conflict speedily. His delegation supported the draft resolution and hoped that its moderate and balanced language would be respected by both parties to the dispute.

At the same meeting, the President put the draft resolution<sup>95</sup> to the vote. It received 15 votes and was adopted unanimously as resolution 588 (1986).<sup>96</sup> It reads as follows:

*The Security Council,*

*Having considered* the question entitled "The situation between Iran and Iraq",

*Noting* that the Council has been seized with this question for over six years and that decisions have been taken thereon,

*Deeply alarmed* at the prolongation and intensification of the conflict, resulting in heavy losses of human lives and considerable material damage and endangering international peace and security,

*Noting* the obligation of Member States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or from acting in any other manner inconsistent with the purposes of the United Nations,

*Recalling* the provisions of the Charter of the United Nations and in particular the obligation of all Member States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,

*Recalling also* that under the Charter, Member States have conferred on the Security Council primary responsibility for the maintenance of international peace and security and to this end have agreed to accept the role of the Security Council in the settlement of disputes,

*Commending* the efforts of the Secretary-General in the search for a peaceful settlement of the conflict,

1. *Calls upon* the Islamic Republic of Iran and Iraq to implement fully and without delay resolution 582 (1986) adopted unanimously on 24 February 1986;

2. *Requests* the Secretary-General to intensify his efforts with the parties to give effect to the above-mentioned resolution and to report to the Council no later than 30 November 1986;

3. *Decides* to meet again to consider the report of the Secretary-General and the conditions for the establishment of a durable peace between the two countries in conformity with the Charter of the United Nations and the principles of justice and international law.

<sup>87</sup>Ibid., pp. 23-27.

<sup>88</sup>Ibid., pp. 27-31.

<sup>89</sup>Ibid., pp. 31-33.

<sup>90</sup>Ibid., pp. 33-37.

<sup>91</sup>S/18383, adopted unanimously without change as resolution 588 (1986).

<sup>92</sup>S/PV.2713, pp. 37-40.

<sup>93</sup>S/17932.

<sup>94</sup>S/PV.2713, pp. 41-43.

<sup>95</sup>Ibid., pp. 43-46.

<sup>96</sup>See S/PV.2713 for the vote; see also chap. IV of the present Supplement.

**Decision of 22 December 1986 (2730th meeting): statement by the President**

On 26 November 1986, in compliance with resolution 588 (1986), in which the Security Council, *inter alia*, requested the Secretary-General to intensify his efforts with the Islamic Republic of Iran and with Iraq to give effect to resolution 582 (1986), the Secretary-General submitted his report,<sup>97</sup> which conveyed, among other things, their responses to his request for their ideas or proposals. In particular, the Secretary-General suggested as one option, the possible reactivation of his eight-point plan.<sup>98</sup>

The position of Iraq was that the conflict should not be prolonged: there should be an immediate ceasefire with a cessation of all hostilities, followed by the withdrawal of troops and exchange of prisoners of war within a short time-frame. Thereafter all aspects of the conflict should be subject to mediation or other means of settlement, including negotiations.<sup>99</sup>

The position of the Islamic Republic of Iran was that because the original Iraqi aim in invading Iran—the toppling of the Iranian regime—had not changed, and because Iraq abrogated the Algiers Agreement of 1975, Iran was not prepared to accept a ceasefire or to sign any agreement with the present Iraqi regime. Iran was prepared to cooperate in arrangements for security in the Gulf region, for preventing the widening of the conflict, for the observance of international law governing the conduct of war and for the exchange of certain groups of prisoners of war.<sup>99</sup>

In the same report, the Secretary-General emphasized that, as was clearly evident from the positions of the two parties, they showed no degree of coincidence that would provide a basis for the presentation of specific proposals designed to give effect to resolution 582 (1986).<sup>99</sup> He also expressed his concern over the danger of the widening of the prolonged conflict. In particular, he stressed that a major area of risk lay in the potential repercussions of the increasingly large attacks on merchant vessels in the region. The Secretary-General concluded his report by expressing the belief that the Security Council must persevere in establishing a basis upon which both Iran and Iraq would find it possible to extend their cooperation to the United Nations in dealing with the threat to regional and international security.<sup>100</sup>

At its 2730th meeting, on 22 December 1986, the Council included the report of the Secretary-General in its agenda. As a result of consultations held among members of the Council, the President made the following statement on behalf of the Council:<sup>101</sup>

The members of the Security Council take note of the report of the Secretary-General and express profound concern at the serious situation which continues to exist between the Islamic Republic of Iran and Iraq. They reiterate their call for the implementation of Council resolutions 582 (1986) and 588 (1986) and for the resolution of the prolonged conflict by peaceful means. They again emphasize the obligation of Member States to settle their disputes by peaceful means and, in this context, to cooperate with the Security Council. In this regard, the members of the Council urge the Secretary-General to continue with his efforts and call upon the parties to cooperate with him.

The members of the Council continue to deplore the violation of international humanitarian law and other laws of armed conflict. They

express their deepening concern over the widening of the conflict through the escalation of attacks on purely civilian targets, on merchant shipping and oil installations of the littoral States. They call for respect, in accordance with international law, for the territorial integrity of the States of the region and for the right of free navigation and commerce, as well as for the operation of off-shore installations.

**Decision of 16 January 1987: statement by the President**

On 16 January 1987, following consultations with the Council members, the President issued the following statement on behalf of the members of the Council:<sup>102</sup>

The members of the Security Council are dismayed and profoundly concerned by the fact that, in the period which has elapsed since the statement made by the President of the Security Council on 22 December 1986, hostilities between the Islamic Republic of Iran and Iraq have intensified and the risk that the armed conflict, now more than six years old, may pose a further threat to the security of the region has increased.

The large-scale military operations which have taken place since the end of last December, and which continue at this time, and the parties' repeated allegations of serious and recurrent violations of the norms of international humanitarian law and other laws of armed conflict clearly indicate the considerable escalation in recent weeks of this conflict, which has taken the lives of countless persons, both combatants and civilians, and has caused grievous human suffering and heavy material losses. The members of the Security Council reiterate their serious concern over the widening of the conflict through increased attacks on purely civilian targets.

In view of this critical situation, the members of the Security Council, recalling the statements made on behalf of the Council on 21 March and 22 December 1986, again issue an urgent appeal to the parties to comply with Security Council resolutions 582 (1986) and 588 (1986). In this context, the members of the Security Council appreciate the efforts made by the Secretary-General and urge him to persevere in those efforts.

The Security Council, on which the Members of the United Nations have conferred primary responsibility for the maintenance of international peace and security, will remain seized of the situation and will continue to make every effort to bring about the cessation of hostilities and the resolution of the conflict by peaceful means in accordance with the Charter.

**Decision of 14 May 1987: statement by the President**

On 14 May 1987, following consultations with the members of the Security Council, the President issued the following statement on behalf of the members of the Council:<sup>103</sup>

The members of the Security Council, seized with the continuing conflict between Iran and Iraq, have considered the report of the mission of specialists dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict (S/18852).

Deeply dismayed by the unanimous conclusions of the specialists that there has been repeated use of chemical weapons against Iranian forces by Iraqi forces, that civilians in Iran also have been injured by chemical weapons, and that Iraqi military personnel have sustained injuries from chemical warfare agents, the members of the Council again strongly condemn the repeated use of chemical weapons in open violation of the Geneva Protocol of 1925, in which the use of chemical weapons in war is clearly prohibited.

Recalling the statements made by the President of the Council on 30 March 1984 (S/16454), 25 April 1985 (S/17130) and 21 March 1986 (S/17932), they again emphatically demand that the provisions of the Geneva Protocol be strictly respected and observed.

They also condemn the prolongation of the conflict which, in addition to violations of international humanitarian law, continues to exact an appalling toll of human life, to cause heavy material damage in the two States, and to endanger peace and security in the region.

They express grave concern over the dangers of an extension of the conflict to other States in the region.

<sup>97</sup>S/18480.

<sup>98</sup>*Ibid.*, para. 2.

<sup>99</sup>*Ibid.*, para. 6.

<sup>100</sup>*Ibid.*, para. 14.

<sup>101</sup>S/18538, incorporated in S/PV.2730.

<sup>102</sup>S/18610.

<sup>103</sup>S/18863.

They reiterate their call for respect for the territorial integrity of all States in the region.

They reaffirm resolution 582 (1986) and call on both parties to cooperate with the efforts of the Security Council to open the way to an early settlement of the conflict on the basis of justice and honour.

They express support for the Secretary-General's efforts to restore peace to the peoples of Iran and Iraq and call on both States to respond positively to his efforts.

**Decision of 20 July 1987 (2750th meeting): resolution 598 (1987)**

At its 2750th meeting, on 20 July 1987, the Council included in its agenda the item entitled "The situation between Iran and Iraq". Following the adoption of the agenda, the Council invited the representative of Iraq, at his request, to participate in the discussion of the item without the right to vote.<sup>104</sup> The Council discussed the item at the same meeting.

Opening the discussion, the President stated that, as had been agreed in the course of previous consultations, the Council was meeting in connection with the item on its agenda. He drew attention to the text of a draft resolution,<sup>105</sup> which had been prepared in the course of the Council's consultations. The President, hearing no objections, proceeded to bring the draft resolution to the vote. Before putting the draft resolution to the vote, however, the President opened the floor to those members of the Council who wished to make statements.

Statements before the vote were made by the representative of China, the Minister for Foreign Affairs of the United Arab Emirates, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, the Secretary of State of the United States of America, the Vice-Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany, the Minister for Foreign Affairs of Italy, the representatives of Ghana and Zambia, the Minister for Foreign Affairs and Worship of Argentina, the representatives of the Congo and Venezuela and by the President, in his capacity as Minister for Foreign Affairs of France.

A number of members of the Council emphasized in their statements the following points: (a) contrary to the wishes of most, the conflict appeared to be escalating and growing more complicated, with the possibility of outside countries being drawn into the hostilities and, therefore, the threat to regional and international peace and security was growing; (b) the draft resolution before the Council was the most balanced possible and took into consideration the interests of both parties to the conflict; (c) the tremendous loss of life, the violations of international humanitarian law and the disregard for the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare all pointed toward the need for an immediate end to the war; (d) a ceasefire was the first step toward the negotiated settlement of the conflict; (e) the Secretary-General of the United Nations had the full confidence of the Council and had an important role to play in implementing the draft resolution; and (f) the draft resolution before the Council was formulated through a series of con-

sultations, primarily by the Permanent Members of the Council, which symbolized the possibility of further cooperation in the Council.

The representative of China stated that although the five Permanent Members have a special responsibility for maintaining international peace and security, their endeavour must be consistent with the principle that the Council was an organic whole. The permanent members should heed and respect the views of the non-permanent members and other interested parties and be accommodating to their reasonable demands and proposals, with a view to pooling the broadest possible wisdom, thus ensuring that the draft resolution to be adopted truly embodies the common will and aspirations of the Council as a whole.<sup>106</sup>

The Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland stated that the basis of the draft resolution rested solidly on Security Council resolution 582 (1986).<sup>107</sup> He pointed out that the Council should ask how the conflict started and how to apportion blame; indeed that was recognized in operative paragraph 6 of the draft resolution before the Council and, therefore, there was no excuse for delaying moves to put an end to the bloodshed. That was why the Council was ordering a mandatory ceasefire using the powers conferred upon it under Articles 39 and 40 of the Charter.<sup>107</sup> Moreover, he indicated that the adoption by the Council of mandatory action under Chapter VII of the Charter should send a clear signal to both sides. The international community was resolved to do all in its power to bring this appalling conflict to an end.<sup>107</sup> He also stressed that, if the parties disregarded their obligations, the Council would use all its powers under the Charter to make the resolution effective.<sup>108</sup>

Comments regarding Chapter VII of the Charter and in particular Articles 39 and 40, concerning the mandatory nature of the draft resolution when adopted, were also strongly emphasized by a number of other members of the Council, including the Secretary of State of the United States of America, the Vice-Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany, the Minister for Foreign Affairs of Italy and the representative of the Congo. Specifically, the representative of the Congo contrasted the willingness of the Council to use Chapter VII provisions in the situation between Iran and Iraq with its unwillingness to use those same measures in the case of South Africa.<sup>109</sup>

The Secretary of State of the United States of America noted, *inter alia*, that the draft resolutions not only demanded an immediate ceasefire and the withdrawal of all forces to internationally recognized borders, but also initiated a healing process, calling for an early exchange of prisoners and international efforts to assist in post-war reconstruction.<sup>110</sup>

The Vice-Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany said that the resolution was only the third in the life of the United Nations to exhaust all means envisaged in the Charter. For the first time ever the Security Council was mandatorily deciding a

<sup>104</sup>S/PV.2750, p. 3; for details, see chap. III of the present *Supplement*.

<sup>105</sup>S/18983, adopted unanimously without change as resolution 598 (1987).

<sup>106</sup>S/PV.2750, pp. 4-11.

<sup>107</sup>*Ibid.* p. 16.

<sup>108</sup>*Ibid.* p. 17.

<sup>109</sup>*Ibid.* p. 51.

<sup>110</sup>*Ibid.*, p. 21.

ceasefire and the withdrawal of troops and the resolution would therefore hold a special place in the history of the United Nations.<sup>111</sup>

The Minister for Foreign Affairs of Italy emphasized that, though a procedure of consultations principally among the permanent members might be justified in the present case, given the extreme complexity of the problem, such a procedure must not become the rule.<sup>112</sup>

The representative of Ghana pointed out, *inter alia*, that operative paragraphs 1 and 3 must be read together with operative paragraphs 2 and 4.<sup>113</sup> Moreover, he stated that operative paragraph 5 of the draft resolution expressly calls upon all States to exercise the utmost restraint and to refrain from any act that might lead to a further escalation and widening of the conflict. Therefore, the resolution that the Council would adopt should in no way constitute the basis for premeditated aggression or any unilateral action by any State or group of States or major Powers against the Islamic Republic of Iran or Iraq. Any follow-up action that might be required after the adoption of the draft resolution should be within the framework of the United Nations and should first be discussed and agreed upon by the Security Council. It would be unfortunate if the present exercise of the Council's powers were to be interpreted as giving licence, however obliquely, to the dispatch of punitive expeditions by one or another of the Members of the United Nations to pacify the area.<sup>114</sup>

The President, in his capacity as Minister for Foreign Affairs of France, stated that the resolution embodied all the weight that the Charter of the United Nations, in its key chapters on peace and security, had conferred on the Security Council. It must not go unheeded by the two countries.<sup>115</sup>

At the same meeting, the President put the draft resolution to the vote; it was adopted unanimously as resolution 598 (1987). It reads as follows:

*The Security Council,*

*Reaffirming its resolution 582 (1986),*

*Deeply concerned that, despite its calls for a ceasefire, the conflict between the Islamic Republic of Iran and Iraq continues unabated, with further heavy loss of human life and material destruction,*

*Deploring the initiation and continuation of the conflict,*

*Deploring also the bombing of purely civilian population centres, attacks on neutral shipping or civilian aircraft, the violation of international humanitarian law and other laws of armed conflict, and, in particular, the use of chemical weapons contrary to obligations under the 1925 Geneva Protocol,*

*Deeply concerned that further escalation and widening of the conflict may take place,*

*Determined to bring to an end all military actions between Iran and Iraq,*

*Convinced that a comprehensive, just, honourable and durable settlement should be achieved between Iran and Iraq,*

*Recalling the provisions of the Charter of the United Nations, and in particular the obligation of all Member States to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,*

*Determining that there exists a breach of the peace as regards the conflict between Iran and Iraq,*

*Acting under Articles 39 and 40 of the Charter,*

1. *Demands that, as a first step towards a negotiated settlement, the Islamic Republic of Iran and Iraq observe an immediate ceasefire, discontinue all military actions on land, at sea and in the air, and withdraw all forces to the internationally recognized boundaries without delay;*

2. *Requests the Secretary-General to dispatch a team of United Nations observers to verify, confirm and supervise the ceasefire and withdrawal and further requests the Secretary-General to make the necessary arrangements in consultation with the parties and to submit a report thereon to the Security Council;*

3. *Urges that prisoners of war be released and repatriated without delay after the cessation of active hostilities in accordance with the Third Geneva Convention of 12 August 1949;*

4. *Calls upon Iran and Iraq to cooperate with the Secretary-General in implementing this resolution and in mediation efforts to achieve a comprehensive, just and honourable settlement, acceptable to both sides, of all outstanding issues, in accordance with the principles contained in the Charter of the United Nations;*

5. *Calls upon all other States to exercise the utmost restraint and to refrain from any act which may lead to further escalation and widening of the conflict, and thus to facilitate the implementation of the present resolution;*

6. *Requests the Secretary-General to explore, in consultation with Iran and Iraq, the question of entrusting an impartial body with inquiring into responsibility for the conflict and to report to the Council as soon as possible;*

7. *Recognizes the magnitude of the damage inflicted during the conflict and the need for reconstruction efforts, with appropriate international assistance, once the conflict is ended and, in this regard, requests the Secretary-General to assign a team of experts to study the question of reconstruction and to report to the Council;*

8. *Requests the Secretary-General to examine, in consultation with Iran and Iraq and with other States of the region, measures to enhance the security and stability of the region;*

9. *Also requests the Secretary-General to keep the Council informed on the implementation of this resolution;*

10. *Decides to meet again as necessary to consider further steps to ensure compliance with this resolution.*

Following the adoption of the resolution, the Secretary-General made a statement. He emphasized, *inter alia*, that the cooperation of the two belligerents was vital in establishing the ceasefire and facilitating the implementation of the other provisions of the resolution and that once a ceasefire was established, the first priority for the United Nations must be to ensure that it held. He also pointed out that the establishment of United Nations observers would be effected through an exchange of letters with the President of the Security Council and that the observers would come from existing United Nations operations.<sup>116</sup>

The representative of the Union of Soviet Socialist Republics emphasized his concern over the concentration of armed forces of third parties in the Gulf region, which posed a serious threat to international peace and security. He also stressed that operative paragraphs 5 and 8 of the draft resolution clearly asserted that the problems of the Gulf could be resolved through agreement among the Gulf States, without outside interference.<sup>117</sup>

The representative of Iraq asserted that he had received the resolution and would immediately convey it to the highest authorities in his country.<sup>118</sup> He also noted that Iraq had always responded positively to the Council's resolu-

<sup>111</sup>*Ibid.*, p. 27.

<sup>112</sup>*Ibid.*, p. 33.

<sup>113</sup>*Ibid.*, pp. 39 and 40.

<sup>114</sup>*Ibid.*, p. 41.

<sup>115</sup>*Ibid.*, p. 61.

<sup>116</sup>S/PV.2750, p. 63.

<sup>117</sup>*Ibid.*, pp. 73-75.

<sup>118</sup>*Ibid.*, p. 83.

tions and valued the importance the Council attached to a comprehensive settlement.

**Decision of 24 December 1987 (2779th meeting): statement by the President**

At the 2779th meeting, on 24 December 1987, as a result of consultations held among members of the Council, the President made the following statement on behalf of the Council:<sup>119</sup>

The members of the Security Council take note of the assessment made by the Secretary-General to the Security Council on 10 December 1987 following his consultations with the emissaries of Iran and Iraq concerning the implementation of resolution 598 (1987) as well as of his request for a fresh and resolute impulse from the Council. They express their grave concern over the slow pace and lack of real progress in these consultations.

Determined to bring the conflict to an end as soon as possible, the members of the Security Council reaffirm their commitment to resolution 598 (1987) as an integrated whole. They also reaffirm that the implementation of that resolution is the only basis for a comprehensive, just, honourable and durable settlement of the conflict.

They support the Secretary-General's outline plan, as endorsed by the Security Council, as well as his efforts to implement resolution 598 (1987).

They consider it essential that the Secretary-General continue to fulfil the mandate assigned to him by resolution 598 (1987).

The members of the Security Council declare their determination, in accordance with operative paragraph 10 of resolution 598 (1987), to consider further steps to ensure compliance with this resolution.

**Decision of 16 March 1988 (2798th meeting): statement by the President**

At the 2798th meeting, on 16 March 1988, as a result of consultations held among members of the Council, the President made the following statement on behalf of the Council:<sup>120</sup>

The members of the Security Council express grave concern over the fact that the tragic conflict between Iran and Iraq continues and has entered its eighth year.

They strongly deplore the escalation of the hostilities between these two countries, particularly the attacks against civilian targets and cities that have taken a heavy toll in human lives and caused vast material destruction, in spite of the declared readiness of the belligerent parties to cease such attacks.

The members of the Security Council insist that Iran and Iraq immediately cease all such attacks and desist forthwith from all acts that lead to the escalation of the conflict and which thereby create further obstacles in the way of implementation of resolution 598 (1987) and undermine the efforts of the Security Council to put an early end to this conflict in accordance with the resolution.

They are convinced that the recent escalation has demonstrated the need for full and rapid implementation of resolution 598 (1987).

Determined to bring the conflict between Iran and Iraq to an early end, the members of the Security Council reaffirm their strong commitment to the implementation of resolution 598 (1987) as an integrated whole which is the only basis for a comprehensive, just, honourable and lasting settlement of the conflict.

They express grave concern that resolution 598 (1987), which has a mandatory character, has not yet been implemented.

The members of the Security Council take note of the statement made by the Secretary-General to them on 14 March 1988. They encourage him to continue his efforts as endorsed by the Security Council to secure implementation of resolution 598 (1987) and, in this connection, support his intention to invite the Governments of Iran and Iraq to send, at the earliest possible date, their foreign ministers, or another senior official, as a special emissary to New York to enter

into urgent and intensive consultations with the Secretary-General. They request the Secretary-General to submit to the Security Council, within three weeks, the report on his consultations with the two sides.

The members of the Security Council reaffirm their determination, in accordance with paragraph 10 of resolution 598 (1987), to consider promptly, in the light of the Secretary-General's renewed efforts to secure implementation of this resolution, further effective steps to ensure compliance with it.

**Decision of 9 May 1988 (2812th meeting): resolution 612 (1988)**

On 23 April 1988, the Secretary-General submitted a report on the mission to investigate allegations of the use of chemical weapons in the conflict between Iran and Iraq.<sup>121</sup> The report described the medical investigations carried out in both countries and concluded that chemical weapons continued to be used in the conflict and that there had been an apparent increase in the number of civilian casualties confirmed and such use could further escalate and seriously undermine the Geneva Protocol of 1925. The Secretary-General strongly urged the parties concerned and all Governments seriously to weigh the full implications of the present report for their common future.

At its 2812th meeting, on 9 May 1988, the Council included the report of the mission in its agenda and considered the item during that meeting.

The President drew attention to a draft resolution submitted by the Federal Republic of Germany, Italy and Japan.<sup>122</sup>

The President then put the draft resolution to the vote; it was adopted unanimously as resolution 612 (1988).<sup>123</sup> It reads as follows:

*The Security Council,*

*Having considered* the report of 25 April 1988 of the mission dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq,

*Dismayed* by the mission's conclusions that chemical weapons continue to be used in the conflict and that their use has been on an even more intensive scale than before,

1. *Affirms* the urgent necessity of strict observance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

2. *Condemns vigorously* the continued use of chemical weapons in the conflict between Iran and Iraq contrary to the obligations under the Geneva Protocol;

3. *Expects* both sides to refrain from the future use of chemical weapons in accordance with their obligations under the Geneva Protocol;

4. *Calls upon* all States to continue to apply or to establish strict control of the export to the parties to the conflict of chemical products serving for the production of chemical weapons;

5. *Decides* to remain seized of the matter and expresses its determination to review the implementation of this resolution.

**Decision of 8 August 1988 (2823rd meeting): statement by the President**

At its 2823rd meeting, on 8 August 1988, the Security Council included in its agenda the item entitled "The situation between Iran and Iraq". Following the adoption of the agenda, the Council invited the representatives of the Islamic Republic of Iran and Iraq to take their places at the Council table.

<sup>119</sup>S/19382.

<sup>120</sup>S/19626.

<sup>121</sup>S/19823 and Corr.1.

<sup>122</sup>S/19869.

<sup>123</sup>For the vote, see S/PV.2812, pp. 2 and 3.

At the same meeting, the President of the Council drew the attention of its members to two letters from Iraq and the Islamic Republic of Iran addressed to the Secretary-General.<sup>124</sup>

The Council began its consideration of the item in accordance with the understanding reached in the Council's prior consultations.

The Secretary-General stated that members of the Council were aware that over the past two weeks he had been engaged in intensive diplomatic activity aimed at achieving the implementation of Security Council resolution 598 (1987). As a result of those efforts, he called upon the Islamic Republic of Iran and Iraq to observe a ceasefire and to discontinue all military action on land, at sea and in the air as at 0300 hours GMT on 20 August 1988. He was assured by the two parties to the conflict that they would observe the ceasefire in the context of the full implementation of resolution 598 (1987).<sup>125</sup>

Subsequently, the President indicated that, following consultations of the Council, he had been authorized to make the following statement on behalf of the members of the Council:<sup>126</sup>

The Security Council welcomes the statement just made by the Secretary-General concerning the implementation of its resolution 598 (1987) of 20 July 1987 on the Iran-Iraq conflict.

The Council endorses the Secretary-General's announcement that the cease-fire demanded in the resolution shall come into effect at 0300 (GMT) on 20 August 1988, and that direct talks under his auspices between the two parties shall begin on 25 August.

The Council further endorses the appeal of the Secretary-General to both parties to exercise the utmost restraint and expects them to refrain from all hostile activities in the period before the entry into effect of the cease-fire.

The Council reiterates its determination that its resolution 598 (1987) be fully implemented as an integral whole and reaffirms its full support for the continuing efforts of the Secretary-General to this end.

**Decision of 9 August 1988 (2824th meeting): resolution 619 (1988)**

At its 2824th meeting, on 9 August 1988, the Council included the report of the Secretary-General on the implementation of paragraph 2 of Security Council resolution 598 (1987)<sup>127</sup> in its agenda.

In the report, the Security Council, *inter alia*, recommended that, as soon as a date had been established for the ceasefire, the Security Council take an early decision to establish a team of observers to be known as the United Nations Iran-Iraq Military Observer Group (UNIIMOG), which would carry out the functions described in paragraph 2 of resolution 598 (1987) and otherwise assist the parties, as might be mutually agreed.

Following the adoption of the agenda, the President invited, on behalf of the Council, the representatives of Iraq and the Islamic Republic of Iran to take a place at the Council table.

The Council began its consideration of the item in accordance with the understanding reached in the Council's prior consultations.

At the same meeting, the President drew attention to a draft resolution, which had been prepared in the course of

the Council's consultations,<sup>128</sup> and put it to the vote; it was adopted unanimously as resolution 619 (1988).<sup>129</sup> It reads as follows:

*The Security Council,*

*Recalling its resolution 598 (1987) of 20 July 1987,*

1. *Approves* the report of the Secretary-General contained in document S/20093 on the implementation of paragraph 2 of resolution 598 (1987) of the Security Council;

2. *Decides* to set up immediately, under its authority, a United Nations Iran-Iraq Military Observer Group, and requests the Secretary-General to take the necessary steps to this effect, in accordance with his above-mentioned report;

3. *Also decides* that the United Nations Iran-Iraq Military Observer Group shall be established for a period of six months, unless the Council decides otherwise;

4. *Requests* the Secretary-General to keep the Security Council fully informed of further developments.

**Decision of 10 August 1988: exchange of letters between the Secretary-General and the President of the Security Council**

In a letter dated 9 August 1988 addressed to the President of the Security Council,<sup>130</sup> the Secretary-General referred to paragraph 8 (c) of his report of 7 August on the implementation of paragraph 2 of Security Council resolution 598 (1987)<sup>131</sup> and proposed to the Security Council that UNIIMOG be composed of contingents from the following Member States: Argentina, Australia, Austria, Bangladesh, Canada, Denmark, Finland, Ghana, Hungary, India, Indonesia, Ireland, Italy, Kenya, Malaysia, New Zealand, Nigeria, Norway, Poland, Senegal, Sweden, Turkey, Yugoslavia and Zambia. In a letter dated 10 August 1988,<sup>132</sup> the President informed the Secretary-General as follows:

I have the honour to inform you that your letter dated 9 August 1988 concerning the composition of the United Nations Iran-Iraq Military Observer Group (UNIIMOG) has been brought to the attention of the members of the Security Council. They considered the matter in informal consultations held on 10 August 1988 and agreed with the proposal contained in your letter.

In a letter dated 23 August 1988 addressed to the President of the Council,<sup>133</sup> the Secretary-General informed the President of the Council of his intention to add Peru and Uruguay to the list of contingents included in UNIIMOG. In a letter dated 26 August 1988,<sup>134</sup> the President informed the Secretary-General as follows:

I have the honour to inform you that your letter dated 23 August 1988 concerning the additional contingents for the United Nations Iran-Iraq Military Observer Group (UNIIMOG) has been brought to the attention of the members of the Security Council. They considered the matter in informal consultations held on 26 August and agreed with the proposal contained in your letter.

**Decision of 26 August 1988 (2825th meeting): resolution 620 (1988)**

On 20 July 1988, the Secretary-General circulated a report on the mission to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq.<sup>135</sup> The Secretary-General informed the Council that on 19 May 1988 the Islamic Republic of

<sup>128</sup>S/20097.

<sup>129</sup>For the vote, see S/PV.2824, p. 3.

<sup>130</sup>S/20104.

<sup>131</sup>S/20093.

<sup>132</sup>S/20105.

<sup>133</sup>S/20154.

<sup>134</sup>S/20155.

<sup>124</sup>S/20092 and S/20094, respectively.

<sup>125</sup>S/20095.

<sup>126</sup>S/20096.

<sup>127</sup>S/20093.



Iran charged that Iraq had used chemical weapons on 17 and 18 May 1988 against a number of Iranian villages and requested the immediate dispatch of a United Nations mission to investigate the matter.<sup>136</sup> Four other letters were received afterwards, making the same request.<sup>137</sup>

On 17 June 1988, the President of the Security Council informed the Secretary-General that the members of the Council, while unanimously reaffirming the condemnation of the use of chemical weapons in the conflict, considered that the Security Council could not act without an independent and technical confirmation of the accusation. On that basis, the Secretary-General dispatched a mission to the Islamic Republic of Iran to investigate its allegations of the use of chemical weapons. The report of the mission was submitted to the Secretary-General on 8 July 1988. In its report, the mission concluded that chemical weapons continued to be used against Iranian forces and positions. The mission also asserted that it might be necessary to review existing machinery for verification by United Nations teams of the use of chemical weapons in the present conflict in order to ensure timely presence of experts at the site of alleged attacks.

On 2 August 1988, the Secretary-General circulated an Addendum<sup>138</sup> to the above report, which contained a summary report on patients examined by the medical specialists with relevant clinical data.

On 3 July 1988, the Government of Iraq alleged that Iranian forces had used chemical weapons against Iraqi forces on 20 June and 1 July and requested that the Secretary-General immediately dispatch a mission to Iraq to investigate the matter.<sup>139</sup>

On 25 July 1988, the Secretary-General circulated the text of the report of the mission dispatched by him to investigate allegations of the use of chemical weapons in the conflict between Iran and Iraq.<sup>140</sup> The report described the investigations carried out by the specialists in Iraq between 9 and 11 July and stated, *inter alia*, that it was possible to determine without any doubt that, between the end of June and the beginning of July, nine Iraqi soldiers had been affected by mustard gas. The report emphasized that an ever-increasing presence of different types of weapons associated with aggressive chemical agents were being used in the conflict between Iran and Iraq.

On 2 August 1988, the Secretary-General circulated an Addendum<sup>141</sup> to the above report of the mission dispatched by him to investigate allegations of the use of chemical weapons in the conflict between Iran and Iraq, which contained a summary report on patients examined by the medical specialists, with relevant clinical data.

On 3 August 1988, the Minister for Foreign Affairs of the Islamic Republic of Iran addressed a letter to the Secretary-General,<sup>142</sup> requesting him to dispatch immediately another team of experts to investigate a chemical bombardment alleged to have been carried out on 2 August. On 5 August, the President of the Security Council informed the Secretary-General that members of the Council considered that, in

the light of resolution 612 (1988) and of the seriousness they attached to the subject, any new allegations of the use of chemical weapons ought to be investigated.<sup>143</sup> A mission of specialists was dispatched and its report concluded that chemical weapons had been used against Iranian civilians in an area adjacent to an urban centre, lacking any protection against that kind of attack.<sup>143</sup>

At its 2825th meeting, on 26 August 1988, the Council included the reports in its agenda. The Council began its consideration of the item pursuant to an agreement reached in prior consultations. The President drew attention to a draft resolution submitted by the Federal Republic of Germany, Italy, Japan and the United Kingdom of Great Britain and Northern Ireland.<sup>144</sup> He then put the draft resolution to the vote; it was adopted unanimously as resolution 620 (1988).<sup>145</sup> It reads as follows:

*The Security Council,*

*Recalling its resolution 612 (1988) of 9 May 1988,*

*Having considered the reports of 20 and 25 July and of 2 and 19 August 1988 of the missions dispatched by the Secretary-General to investigate allegations of the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq,*

*Deeply dismayed by the missions' conclusions that there had been continued use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq and that such use against Iranians had become more intense and frequent,*

*Profoundly concerned at the danger of possible use of chemical weapons in the future,*

*Bearing in mind the current negotiations in the Conference on Disarmament on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction,*

*Determined to intensify its efforts to end all use of chemical weapons in violation of international obligations now and in the future,*

1. *Condemns resolutely the use of chemical weapons in the conflict between the Islamic Republic of Iran and Iraq, in violation of obligations under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and in defiance of its resolution 612 (1988);*

2. *Encourages the Secretary-General to carry out promptly investigations in response to allegations brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxic weapons that may constitute a violation of the 1925 Geneva Protocol or other relevant rules of customary international law, in order to ascertain the facts of the matter, and to report the results;*

3. *Calls upon all States to continue to apply, to establish or to strengthen strict control of the export of chemical products serving for the production of chemical weapons, in particular to parties to a conflict, when it is established or when there is substantial reason to believe that they have used chemical weapons in violation of international obligations;*

4. *Decides to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations, should there be any future use of chemical weapons in violation of international law, wherever and by whomever committed.*

<sup>135</sup>S/20060.

<sup>136</sup>S/19892.

<sup>137</sup>S/19902, S/19942, S/19943 and S/19946.

<sup>138</sup>S/20060/Add.1.

<sup>139</sup>S/19982.

<sup>140</sup>S/20063.

<sup>141</sup>S/20063/Add.1.

<sup>142</sup>S/20084.

<sup>143</sup>S/20134.

<sup>144</sup>S/20151.

<sup>145</sup>For the vote, see S/PV.2825, p. 6.